

# NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening when an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

## NOTICE OF RULEMAKING DOCKET OPENING

### DEPARTMENT OF HEALTH SERVICES COMMUNICABLE DISEASES

- 1. Title and its heading:** 9, Health Services

**Chapter and its heading:** 6, Department of Health Services

**Article and its heading:** Communicable Diseases

**Section numbers:** 11, Court-Ordered Sexually Transmitted Disease Testing

R9-6-1101 and R9-6-1102 (ADHS may add additional Sections as necessary.)
- 2. The subject matter of the proposed rule:**

Laws 2002, Ch. 312 amended A.R.S. § 13-1415 by adding sexually transmitted disease testing to the statute. A.R.S. § 13-1415 provides that a defendant who is alleged to have committed a sexual offense or another offense involving significant exposure is subject to a court order requiring the defendant to submit to testing for HIV and other sexually transmitted diseases and to consent to the release of the test results to the victim. The statute further states that a court order issued under A.R.S. § 13-1415 shall require that testing be performed in compliance with rules adopted by ADHS. A.A.C. R9-6-903 specifies how testing for HIV is to be performed for purposes of A.R.S. § 13-1415.

This rulemaking will specify how testing for sexually transmitted diseases is to be performed for purposes of A.R.S. § 13-1415. This rulemaking will create a new Article 11 titled "Court-Ordered Sexually Transmitted Disease Testing" and include a definitions Section and at least one additional Section to prescribe how testing for sexually transmitted diseases is to be performed.

**The agency docket number:**

RE-006-03
- 3. A citation to all published notices relating to the proceeding:**

None
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Dr. Victorio Vaz

Address: Arizona Department of Health Services  
3815 N. Black Canyon Highway  
Phoenix, AZ 85015

Telephone: (602) 230-5820

Fax: (602) 230-5818

E-mail: vvaz@hs.state.az.us

or

Name: Kathleen Phillips, Rules Administrator

Address: Arizona Department of Health Services  
Office of Administrative Rules  
1740 W. Adams, Room 102  
Phoenix, AZ 85007

Telephone: (602) 542-1264

Fax: (602) 364-1150

E-mail: kphilli@hs.state.az.us
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

ADHS will accept written comments until the close of record, which has not yet been determined. ADHS has not scheduled any oral proceedings at this time.

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**6. A timetable for agency decisions or other action on the proceeding, if known:**

None

**NOTICE OF RULEMAKING DOCKET OPENING**

**ARIZONA STATE LOTTERY COMMISSION**

- 1. Title and its heading:** 19, Alcohol, Horse and Dog Racing, Lottery, and Gaming  
**Chapter and its heading:** 3, Arizona State Lottery Commission  
**Article and its heading:** 2, Retailers  
**Section numbers:** R19-3-201 through R19-3-209

**2. The subject matter of the proposed rule:**

The retailer rules prescribe the requirements and procedures for Arizona retail businesses to obtain a license to sell Lottery game products, display promotional materials, requirements for the sale and payment of instant and on-line games, and retailer conduct. The rules establish procedures for revocation, suspension, or renewal of retailer licenses, hearing procedures, and Lottery conducted compliance investigations. The rules also establish penalties, required by A.R.S. § 5-512(I), for the sale of a Lottery ticket to an underage person or to a person who uses a public assistance voucher or an electronic benefits card to purchase a ticket. The amendment will include changes required by Lottery staff, retailers, and legal counsel as a result of operating with these rules for several years and program policy recommendations from the Lottery's Retail Advisory Committee. The amendment will also provide consistency in the language of the text and make the rules more clear, concise, and understandable.

**3. A citation to all published notices relating to the proceeding:**

Notice of Proposed Rulemaking: 9 A.A.R. 1332, May 2, 2003

**4. The name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Kathleen S. Pushor, Executive Director

Address: Arizona State Lottery  
4740 E. University Drive  
Phoenix, AZ 85034

Telephone: (480) 921-4400

Fax: (480) 921-4488

E-mail: katie@lottery.state.az.us

or

Name: Nena Dawson, Audit Director

Address: Arizona State Lottery  
4740 E. University Drive  
Phoenix, AZ 85034

Telephone: (480) 921-4430

Fax: (480) 921-4507

E-mail: nena@lottery.state.az.us

**5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

Written comments: 8:00 a.m. to 5:00 p.m., Monday through Friday (except state holidays)

Oral comments: 8:00 a.m. to 5:00 p.m., Monday through Friday (except state holidays)

Address: Arizona State Lottery  
4740 E. University  
Phoenix, AZ 85034

The date, time, and location of an oral proceeding on the rulemaking will be included in the Notice of Proposed Rulemaking.

**6. A timetable for agency decisions or other action on the proceeding, if known:**

To be determined